

FIRST REGULAR SESSION

# SENATE BILL NO. 105

94TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR GRAHAM.

Pre-filed December 1, 2006, and ordered printed.

TERRY L. SPIELER, Secretary.

0302S.011

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## AN ACT

To repeal section 301.130, RSMo, and to enact in lieu thereof one new section relating to license plate covers.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 301.130, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 301.130, to read as follows:

301.130. 1. The director of revenue, upon receipt of a proper application  
2 for registration, required fees and any other information which may be required  
3 by law, shall issue to the applicant a certificate of registration in such manner  
4 and form as the director of revenue may prescribe and a set of license plates, or  
5 other evidence of registration, as provided by this section. Each set of license  
6 plates shall bear the name or abbreviated name of this state, the words  
7 "SHOW-ME STATE", the month and year in which the registration shall expire,  
8 and an arrangement of numbers or letters, or both, as shall be assigned from year  
9 to year by the director of revenue. The plates shall also contain fully reflective  
10 material with a common color scheme and design for each type of license plate  
11 issued pursuant to this chapter. The plates shall be clearly visible at night, and  
12 shall be aesthetically attractive. Special plates for qualified disabled veterans  
13 will have the "DISABLED VETERAN" wording on the license plates in preference  
14 to the words "SHOW-ME STATE" and special plates for members of the national  
15 guard will have the "NATIONAL GUARD" wording in preference to the words  
16 "SHOW-ME STATE".

17 2. The arrangement of letters and numbers of license plates shall be  
18 uniform throughout each classification of registration. The director may provide  
19 for the arrangement of the numbers in groups or otherwise, and for other  
20 distinguishing marks on the plates.

21 3. All property-carrying commercial motor vehicles to be registered at a

22 gross weight in excess of twelve thousand pounds, all passenger-carrying  
23 commercial motor vehicles, local transit buses, school buses, trailers, semitrailers,  
24 motorcycles, motortricycles, motorscooters and driveaway vehicles shall be  
25 registered with the director of revenue as provided for in subsection 3 of section  
26 301.030, or with the state highways and transportation commission as otherwise  
27 provided in this chapter, but only one license plate shall be issued for each such  
28 vehicle except as provided in this subsection. The applicant for registration of  
29 any property-carrying commercial motor vehicle may request and be issued two  
30 license plates for such vehicle, and if such plates are issued the director of  
31 revenue may assess and collect an additional charge from the applicant in an  
32 amount not to exceed the fee prescribed for personalized license plates in  
33 subsection 1 of section 301.144.

34 4. The plates issued to manufacturers and dealers shall bear the letter "D"  
35 preceding the number, and the director may place upon the plates other letters  
36 or marks to distinguish commercial motor vehicles and trailers and other types  
37 of motor vehicles.

38 5. No motor vehicle or trailer shall be operated on any highway of this  
39 state unless it shall have displayed thereon the license plate or set of license  
40 plates issued by the director of revenue or the state highways and transportation  
41 commission and authorized by section 301.140. Each such plate shall be securely  
42 fastened to the motor vehicle in a manner so that all parts thereof shall be plainly  
43 visible and reasonably clean so that the reflective qualities thereof are not  
44 impaired. **Each such plate may be encased in a transparent cover so long**  
45 **as the plate is plainly visible and its reflective qualities are not**  
46 **impaired.** License plates shall be fastened to all motor vehicles except trucks,  
47 tractors, truck tractors or truck-tractors licensed in excess of twelve thousand  
48 pounds on the front and rear of such vehicles not less than eight nor more than  
49 forty-eight inches above the ground, with the letters and numbers thereon right  
50 side up. The license plates on trailers, motorcycles, motortricycles and  
51 motorscooters shall be displayed on the rear of such vehicles, with the letters and  
52 numbers thereon right side up. The license plate on buses, other than school  
53 buses, and on trucks, tractors, truck tractors or truck-tractors licensed in excess  
54 of twelve thousand pounds shall be displayed on the front of such vehicles not less  
55 than eight nor more than forty-eight inches above the ground, with the letters  
56 and numbers thereon right side up or if two plates are issued for the vehicle  
57 pursuant to subsection 3 of this section, displayed in the same manner on the  
58 front and rear of such vehicles. The license plate or plates authorized by section

59 301.140, when properly attached, shall be prima facie evidence that the required  
60 fees have been paid.

61           6. (1) The director of revenue shall issue annually or biennially a tab or  
62 set of tabs as provided by law as evidence of the annual payment of registration  
63 fees and the current registration of a vehicle in lieu of the set of  
64 plates. Beginning January 1, 2010, the director may prescribe any additional  
65 information recorded on the tab or tabs to ensure that the tab or tabs positively  
66 correlate with the license plate or plates issued by the department of revenue for  
67 such vehicle. Such tabs shall be produced in each license bureau office.

68           (2) The vehicle owner to whom a tab or set of tabs is issued shall affix and  
69 display such tab or tabs in the designated area of the license plate, no more than  
70 one per plate.

71           (3) A tab or set of tabs issued by the director of revenue when attached  
72 to a vehicle in the prescribed manner shall be prima facie evidence that the  
73 registration fee for such vehicle has been paid.

74           (4) Except as otherwise provided in this section, the director of revenue  
75 shall issue plates for a period of at least six years.

76           (5) For those commercial motor vehicles and trailers registered pursuant  
77 to section 301.041, the plate issued by the highways and transportation  
78 commission shall be a permanent nonexpiring license plate for which no tabs shall  
79 be issued. Nothing in this section shall relieve the owner of any vehicle  
80 permanently registered pursuant to this section from the obligation to pay the  
81 annual registration fee due for the vehicle. The permanent nonexpiring license  
82 plate shall be returned to the highways and transportation commission upon the  
83 sale or disposal of the vehicle by the owner to whom the permanent nonexpiring  
84 license plate is issued, or the plate may be transferred to a replacement  
85 commercial motor vehicle when the owner files a supplemental application with  
86 the Missouri highways and transportation commission for the registration of such  
87 replacement commercial motor vehicle. Upon payment of the annual registration  
88 fee, the highways and transportation commission shall issue a certificate of  
89 registration or other suitable evidence of payment of the annual fee, and such  
90 evidence of payment shall be carried at all times in the vehicle for which it is  
91 issued.

92           (6) Upon the sale or disposal of any vehicle permanently registered under  
93 this section, or upon the termination of a lease of any such vehicle, the permanent  
94 nonexpiring plate issued for such vehicle shall be returned to the highways and  
95 transportation commission and shall not be valid for operation of such vehicle, or

96 the plate may be transferred to a replacement vehicle when the owner files a  
97 supplemental application with the Missouri highways and transportation  
98 commission for the registration of such replacement vehicle. If a vehicle which  
99 is permanently registered under this section is sold, wrecked or otherwise  
100 disposed of, or the lease terminated, the registrant shall be given credit for any  
101 unused portion of the annual registration fee when the vehicle is replaced by the  
102 purchase or lease of another vehicle during the registration year.

103 7. The director of revenue and the highways and transportation  
104 commission may prescribe rules and regulations for the effective administration  
105 of this section. No rule or portion of a rule promulgated under the authority of  
106 this section shall become effective unless it has been promulgated pursuant to the  
107 provisions of section 536.024, RSMo.

108 8. Notwithstanding the provisions of any other law to the contrary, owners  
109 of motor vehicles other than apportioned motor vehicles or commercial motor  
110 vehicles licensed in excess of eighteen thousand pounds gross weight may apply  
111 for special personalized license plates. Vehicles licensed for eighteen thousand  
112 pounds that display special personalized license plates shall be subject to the  
113 provisions of subsections 1 and 2 of section 301.030.

114 9. Commencing January 1, 2009, the director of revenue shall cause to be  
115 reissued new license plates of such design as directed by the director consistent  
116 with the terms, conditions, and provisions of this section and this chapter. Except  
117 as otherwise provided in this section, in addition to all other fees required by law,  
118 applicants for registration of vehicles with license plates that expire between  
119 January 1, 2009, and December 31, 2011, applicants for registration of trailers or  
120 semitrailers with license plates that expire between January 1, 2009, and  
121 December 31, 2011, and applicants for registration of vehicles that are to be  
122 issued new license plates shall pay an additional fee, based on the actual cost of  
123 the reissuance, to cover the cost of the newly reissued plates required by this  
124 subsection. The additional fee prescribed in this subsection shall not be charged  
125 to persons receiving special license plates issued under section 301.073 or  
126 301.443. Historic motor vehicle license plates registered pursuant to section  
127 301.131 and specialized license plates are exempt from the provisions of this  
128 subsection.

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